

Notice of Allowability

Application No.

09/840,107

Examiner

Christopher E Mahoney

Applicant(s)

HORIGUCHI, SHIGERU

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on Nov. 17, 2003 and the interviews of Jun 22 & Aug 5, 2004.
2. ☒ The allowed claim(s) is/are 1-9,21-30,32-34,39-47,59-68 and 70-72.
3. ☒ The drawings filed on 24 April 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>48</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Akihiro Yamazaki on August 7, 2004.

The application has been amended as follows:

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claim 1 (currently amended): A camera comprising:

a camera body having a substantially flat shape;

a photographing optical system configured to perform a photographing operation and accommodated in the camera body, the photographing optical system having a photographing optical axis in a direction perpendicular to a thickness direction of the camera body and a photographing object side plane, the photographing object side plane facing an object to be photographed when photographing; and

Art Unit: 2851

a plurality of release ~~button~~ buttons each configured to activate the photographing operation of the photographing optical system, at least one of the release buttons being configured to operate along the photographing optical axis and provided on a side surface of the camera body corresponding with the photographing object side plane of the photographing optical system.

Claim 2 (currently amended): The camera of Claim 1, wherein the at least one of the release ~~button~~ buttons is provided on a right side part of the side surface of the camera body.

Claim 3 (original): The camera of Claim 1, wherein the photographing optical system includes a solid-state photographing element configured to convert an image of an object photographed into image data.

Claim 4 (original): The camera of Claim 3, further comprising a recording device configured to record the image data in a recording medium.

Claim 5 (original): The camera of Claim 3, further comprising a display device configured to display at least one of the image and the image data.

Claim 6 (original): The camera of Claim 3, further comprising a communication device configured to transmit the image data.

Claim 7 (original): The camera of Claim 6, wherein the communication device includes a wireless transmission device configured to transmit the image data to a remote terminal by wireless transmission.

Claim 8 (original): The camera of Claim 6, wherein the communication device includes an interface device configured to transmit the image data to a terminal via a cable.

Art Unit: 2851

Claim 9 (original): The camera of Claim 1, further comprising a wireless telephone device.

Claims 10-20 (canceled)

Claim 21 (currently amended): A camera comprising:

a camera body having a substantially flat shape;

a photographing optical system configured to perform a photographing operation and accommodated in the camera body, the photographing optical system having a photographing optical axis in a direction perpendicular to a thickness direction of the camera body and a photographing object side plane, the photographing object side plane facing an object to be photographed when photographing; and

a plurality of release buttons each configured to activate the photographing operation of the photographing optical system, the plurality of release buttons including a first release button configured to operate along the photographing optical axis.

Claim 22 (currently amended): The camera of Claim 21, wherein:

~~the photographing optical system having a photographing optical axis in a direction perpendicular to a thickness direction of the camera body and a photographing object side plane, the photographing surface facing an object to be photographed when photographing;~~

~~the plurality of release buttons comprises first and second release buttons;~~

the first release button of the plurality of release buttons is provided on a side surface of the camera body corresponding with the photographing object side plane of the photographing optical system; and

Art Unit: 2851

the plurality of release buttons further includes a second release button ~~the second release button of the plurality of release buttons~~ is provided on an upper surface of the camera body, the upper surface facing upward when the photographing optical axis of the photographing optical system is horizontal and the photographing object side plane of the photographing optical system is directed toward the object.

Claim 23 (original): The camera of Claim 21, wherein the photographing optical system includes a solid-state photographing element configured to convert an image of an object photographed into image data.

Claim 24 (original): The camera of Claim 23, further comprising a recording device configured to record the image data in a recording medium.

Claim 25 (original): The camera of Claim 23, further comprising a display device configured to display at least one of the image and the image data.

Claim 26 (original): The camera of Claim 23, further comprising a communication device configured to transmit the image data.

Claim 27 (original): The camera of Claim 26, wherein the communication device includes a wireless transmission device configured to transmit the image data to a remote terminal by wireless transmission.

Claim 28 (original): The camera of Claim 26, wherein the communication device includes an interface device configured to transmit the image data to a terminal via a cable.

Claim 29 (original): The camera of Claim 21, further comprising a wireless telephone device.

Claim 30 (currently amended): A camera comprising:

Art Unit: 2851

a camera body having a substantially flat shape;

photographing means for performing a photographing operation, the photographing means being accommodated in the camera body and having a photographing optical axis in a direction perpendicular to a thickness direction of the camera body and a photographing object side plane, the photographing object side plane facing an object to be photographed when photographing; and

a plurality of activating means each for activating the photographing operation of the photographing means, at least one of the plurality of activating means being provided on a side surface of the camera body corresponding with the photographing object side plane of the photographing means so as to operate along the photographing optical axis.

Claim 31 (canceled)

Claim 32 (previously presented): A camera comprising:

a substantially flat body having a plane direction and a thickness direction, the substantially flat body being thinner in the thickness direction, the plane direction being substantially perpendicular to the thickness direction;

photographing means for performing a photographing operation, the photographing means being accommodated in the substantially flat body and having a photographing optical axis substantially parallel to the plane direction of the substantially flat body; and

a plurality of activating means each for activating the photographing operation of the photographing means, the plurality of activating means being provided on the substantially flat body in the plane and thickness directions, at least one of the plurality of activating means being provided so as to operate along the photographing optical axis.

Art Unit: 2851

Claim 33 (currently amended): A method of making a camera, comprising the steps of:
forming the camera body having a substantially flat shape;
accommodating in the camera body a photographing optical system configured to perform a photographing operation such that a photographing optical axis thereof is arranged in a direction perpendicular to a thickness direction of the camera body; and

arranging a plurality of release button buttons each configured to activate the photographing operation of the photographing optical system, at least one of the release button being configured to operate along the photographing optical axis and provided at a side surface of the camera body corresponding with a photographing object side plane of the photographing optical system, the photographing object side plane facing an object to be photographed when photographing.

Claim 34 (currently amended): The method of Claim 33, wherein the arranging step comprises arranging the at least one of the release button buttons at a right side part of the side surface of the camera body.

Claims 35-38 (canceled)

Claim 39 (currently amended): A portable apparatus comprising:
an apparatus body having a substantially flat shape;
a photographing optical system configured to perform a photographing operation and accommodated in the apparatus body, the photographing optical system having a photographing optical axis in a direction perpendicular to a thickness direction of the apparatus body and a photographing object side plane, the photographing object side plane facing an object to be photographed when photographing; and

Art Unit: 2851

a plurality of release ~~button~~ buttons each configured to activate the photographing operation of the photographing optical system, [[and]] at least one of the release buttons being configured to operate along the photographing optical axis and provided on a side surface of the apparatus body corresponding with the photographing object side plane of the photographing optical system.

Claim 40 (currently amended): The portable apparatus of Claim 39, wherein the at least one of release ~~button~~ buttons is provided on a right side part of the side surface of the apparatus body.

Claim 41 (original): The portable apparatus of Claim 39, wherein the photographing optical system includes a solid-state photographing element configured to convert an image of an object photographed into image data.

Claim 42 (original): The portable apparatus of Claim 41, further comprising a recording device configured to record the image data in a recording medium.

Claim 43 (original): The portable apparatus of Claim 41, further comprising a display device configured to display at least one of the image and the image data.

Claim 44 (original): The portable apparatus of Claim 41, further comprising a communication device configured to transmit the image data.

Claim 45(original): The portable apparatus of Claim 44, wherein the communication device includes a wireless transmission device configured to transmit the image data to a remote terminal by wireless transmission.

Art Unit: 2851

Claim 46 (original): The portable apparatus of Claim 44, wherein the communication device includes an interface device configured to transmit the image data to a terminal via a cable.

Claim 47 (original): The portable apparatus of Claim 39, further comprising a wireless telephone device.

Claims 48-58 (canceled)

Claim 59 (previously presented): A portable apparatus comprising:
a substantially flat body having a plane direction and a thickness direction, the substantially flat body being thinner in the thickness direction, the plane direction being substantially perpendicular to the thickness direction;

a photographing optical system configured to perform a photographing operation and positioned in the substantially flat body such that the photographing optical system has a photographing optical axis substantially parallel to the plane direction of the substantially flat body; and

a plurality of release buttons each configured to activate the photographing operation of the photographing optical system, at least one of the plurality of release buttons being configured to operate along the photographing optical axis.

Claim 60 (previously presented): The portable apparatus of Claim 59, wherein:
the plurality of release buttons comprises a first and second release buttons; and
the first release button of the plurality of release buttons is provided on a side surface of the substantially flat body corresponding with a photographing object side plane of the photographing optical system, and the second release button of the plurality of release buttons is

Art Unit: 2851

provided on an upper surface of the substantially flat body, the upper surface facing upward when the photographing optical axis of the photographing optical system is horizontal and the photographing object side plane of the photographing optical system is directed toward the object.

Claim 61 (original): The portable apparatus of Claim 59, wherein the photographing optical system includes a solid-state photographing element configured to convert an image of an object photographed into image data.

Claim 62 (original): The apparatus of Claim 61, further comprising a recording device configured to record the image data in a recording medium.

Claim 63 (original): The apparatus of Claim 61, further comprising a display device configured to display at least one of the image and the image data.

Claim 64 (original): The apparatus of Claim 61, further comprising a communication device configured to transmit the image data.

Claim 65 (original): The apparatus of Claim 64, wherein the communication device includes a wireless transmission device configured to transmit the image data to a remote terminal by wireless transmission.

Claim 66 (original): The apparatus of Claim 64, wherein the communication device includes an interface device configured to transmit the image data to a terminal via a cable.

Claim 67 (original): The apparatus of Claim 59, further comprising a wireless telephone device.

Claim 68 (currently amended): A portable apparatus comprising:
an apparatus body having a substantially flat shape;

Art Unit: 2851

photographing means for performing a photographing operation, the photographing means being accommodated in the apparatus body and having a photographing optical axis in a direction perpendicular to a thickness direction of the apparatus body and a photographing object side plane, the photographing object side plane facing an object to be photographed when photographing; and

a plurality of activating means each for activating the photographing operation of the photographing means, at least one of the plurality of activating means being provided on a side surface of the apparatus body corresponding with the photographing object side plane of the photographing means so as to operate along the photographing optical axis.

Claim 69 (canceled)

Claim 70 (previously presented): A portable apparatus comprising:

a substantially flat body having a plane direction and a thickness direction, the substantially flat body being thinner in the thickness direction, the plane direction being substantially perpendicular to the thickness direction;

photographing means for performing a photographing operation, the photographing means being positioned in the substantially flat body such that the photographing means has a photographing optical axis substantially parallel to the plane direction of the substantially flat body; and

a plurality of activating means each for activating the photographing operation of the photographing means, the plurality of activating means being provided on the substantially flat body in the plane and thickness directions, at least one of the plurality of activating means being provided so as to operate along the photographing optical axis.

Art Unit: 2851

Claim 71 (currently amended): A method of making a portable apparatus, comprising the steps of:

forming the apparatus body having a substantially flat shape;
accommodating in the apparatus body a photographing optical system configured to perform a photographing operation such that a photographing optical axis thereof is arranged in a direction perpendicular to a thickness direction of the apparatus body; and
arranging a plurality of release ~~button~~ buttons each configured to activate the photographing operation of the photographing optical system, at least one of the release buttons being configured to operate along the photographing optical axis and provided at a side surface of the apparatus body corresponding with a photographing object side plane of the photographing optical system, the photographing object side plane facing an object to be photographed when photographing.

Claim 72 (currently amended): The method of Claim 71, wherein the arranging step comprises arranging the at least one of the release ~~button~~ buttons at a right side part of the side surface of the apparatus body.

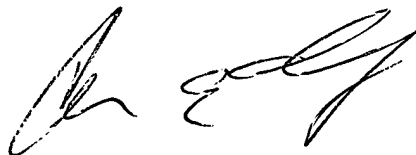
Claims 73-76 (canceled)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E Mahoney whose telephone number is (571) 272-2122. The examiner can normally be reached on 8:30AM-5PM, Monday-Thursday.

Art Unit: 2851

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571) 272-2258. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'C. E. Mahoney', is positioned above the printed name.

Christopher E Mahoney
Primary Examiner
Art Unit 2851